

JAN 22 2007



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TO: Commissioner for Patents – U.S. Patent Office
FAX NO.: (571) 273-8300
FROM: Alan Taboada
DATE: January 22, 2007
MATTER: Serial No. 10/579,426 Filed: May 12, 2006
DOCKET NO.: VIS/002
APPLICANT: Rafferty, Richard A.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> RCE Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
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<input type="checkbox"/> Response to Office Action dated 7/5/05	dated <u>January 22, 2007</u>
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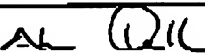
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
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/579,426	
	Filing Date	May 12, 2006	
	First Named Inventor	Rafferty	
	Art Unit	2615	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	2	Attorney Docket Number	VIS/002

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ENCLOSURES (check all that apply)		
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Firm	Moser IP Law Group	
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Printed Name	Alan Taboada	
Date	1/22/07	Reg. No. 51.359

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	SUJATA BAROT	Date	January 22, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 22 2007

Date of Deposit: January 22, 2007
U.S. Serial No. 10/579,426
Ref. No. VIS002
Page 1 of 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard A. Rafferty	Examiner:	Unknown
Serial No.:	10/579,426	Group Art Unit:	2615
Filed:	May 12, 2006	Docket No.:	VIS002
Title:	HEARING AID THAT FACILITATES REMOVAL OF EARWAX AND TRAPPING OF MOISTURE		

DATA PROVIDED BY APPLICANT NOT CONSISTENT WITH PTO RECORDS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the filing receipt dated January 11, 2007 in which the data provided by applicant is not consistent with PTO records. The agent for the Applicant is in agreement that the correct International filing date for the PCT priority application, PCT/US04/37733 is November 12, 2004.

Respectfully submitted,

 1/22/07

ALAN TABOADA, Attorney
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